

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Civil Action No. 1:23-CV-00665

TC HEARTLAND LLC,

*Plaintiff and Counterclaim
Defendant,*

v.

SUSAN S. SCHIFFMAN,

*Defendant and
Counterclaim Plaintiff.*

JOINT LOCAL RULE 5.5 REPORT
FOR THE FILING OF SEALED
DOCUMENTS

Pursuant to Local Rule 5.5, the Parties submit the following report with regard to the Parties' discussions at the Rule 26(f) conference as to whether the case will involve the possibility of confidential or sealed documents:

☒ Conference: The parties have discussed the issues of confidentiality raised in this case and the potential need for filing documents under seal. That discussion included the nature of any confidential documents that may be involved in the case, the possibility of using stipulations to avoid the need to file certain documents, and the possibility of agreed-upon redactions of immaterial confidential information in filings to avoid the need for filing documents under seal.

☐ Non-Parties: Because a non-party has produced documents pursuant to a protective order or is otherwise claiming confidentiality over documents filed or expected to be filed in this case, the conference included _____ (identify non-party).

☒ Default: The parties agree that some documents may need to be filed under seal. The parties agree to use the default procedures of LR 5.4(c). In addition, if the party filing the motion to seal is not the party claiming confidentiality, the filing party must meet and confer with the party claiming confidentiality as soon as practicable, but at least two (2) days before filing the

documents, to discuss narrowing the claim of confidentiality. The motion to seal must certify that the required conference has occurred, and the party claiming confidentiality must file supporting materials required by LR 5.4(c)(3) within 14 days of the motion to seal.

[] Alternative Proposal for Cases with Many Confidential Documents. In order to address claims of confidentiality and reduce the need to file briefs and exhibits under seal, the parties propose the alternative procedure set out in the attached proposal, either jointly or as competing alternatives, for consideration by the Court.

[] Other relevant information: _____

This the 30th day of May 2025.

/s/ Stephen Shackelford

Stephen Shackelford, Jr.
(NYS Bar No. 5393657)
Appearing Specially LR 83.1(d)
Geng Chen (NYS Bar No. 5377262)
Appearing Specially LR 83.1(d)
Y. Gloria Park (NYS Bar No.: 5477047)
Appearing Specially LR 83.1(d)
SUSMAN GODFREY L.L.P.
One Manhattan West
New York, NY 10001
Tel: (212) 336-8330
Fax: (212) 336-8340
sshackelford@susmangodfrey.com
gchen@susmangodfrey.com
gpark@susmangodfrey.com

Davida Brook (CAS Bar No. 275370)
Appearing Specially LR 83.1(d)
SUSMAN GODFREY L.L.P.
1900 Avenue of the Stars, Suite 1400
Los Angeles, CA 90067
Tel: (310) 789-3100
Fax: (310) 789-3150
dbrook@susmangodfrey.com

Bradley M. Risinger
(NC State Bar No. 23629)
FOX ROTHSCHILD LLP
301 Hillsborough Street, Suite 1120
Raleigh, NC 27603
Tel: (919) 755-8700
brisinger@foxrothschild.com

Counsel for Plaintiff

/s/ Kevin Bell

Kevin M. Bell
ARNALL GOLDEN GREGORY LLP
1775 Pennsylvania Avenue NW, Suite 1000
Washington, DC 20006
Tel: (202) 677-4030
kevin.bell@agg.com
Appearing Specially L.R. 83.1(d)

Matthew D. Zapadka
ARNALL GOLDEN GREGORY LLP
2100 Pennsylvania Avenue, NW, Suite 350S
Washington, D.C. 20037
Tel (202) 677-4030
Matthew.zapadka@agg.com
Appearing Specially L.R. 83.1(d)

Mark R. Kutny
HAMILTON STEPHENS
STEELE + MARTIN, PLLC
525 N. Tryon Street, Suite 1400
Charlotte, North Carolina 28202
Tel: (704) 344-1117
Fax: (704) 344-1483
mkutny@lawhssm.com

Counsel for Defendant